

## **UNAPPROVED**

### **BOARD OF FUNERAL DIRECTORS AND EMBALMERS FORMAL HEARING MINUTES**

Tuesday, December 4, 2007

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Richmond, Virginia

**CALL TO ORDER:**

A meeting of the Virginia Board of Funeral Directors and Embalmers was called to order at 1:00 p.m. to conduct a formal hearing.

**PRESIDING:**

Randolph Minter, F.S. L., Chair

**MEMBERS PRESENT:**

Robert Burger, F.S.L.  
Michael Leonard, F.S.L.  
Billie Watson-Hughes, F.S.L.  
Barry Murphy, F.S.L.  
Walter Ball, Citizen Member

**MEMBERS RECUSED:**

W. D. Tharp, F.S.L., President  
Blair Nelsen, F.S.L.

**STAFF PRESENT:**

Elizabeth Young, Executive Director  
Jeanette Meade, Administrative Assistant  
Lynn Helmick, Senior Investigator

**COUNSEL PRESENT:**

Jack Kotvas, Asst. Attorney General  
Wayne Halblieb, Asst. Attorney General  
Cynthia Gaines, Adjudication Analyst, APD

**OTHERS PRESENT:**

Carlos Howard, F.S.L.  
Kimberly Murphy, Esquire

**COURT REPORTER:**

Lynn Aligood

**QUORUM:**

With 6 members present, a quorum was established.

**FORMAL HEARING:**

**Carlos A. Howard, F.S.L.  
#99958**

A formal hearing was held in the matter of Carlos A. Howard, Funeral Service Licensee to discuss the

allegations that he may have violated portions of the laws and regulations governing the practice funeral directing and embalming in the Commonwealth of Virginia

Mr. Halblieb, Assistant Attorney General, representing the Commonwealth, presented to the Board evidence that Mr. Howard failed to reimburse another funeral establishment for the services they rendered under the contract in a timely manner. When in fact the funding company had paid Mr. Howard in advance, before the claim from the Decedent A's insurance company had paid the funding company.

**CLOSED MEETING:**

On a motion made by Mr. Burger and properly seconded by Mr. Murphy at 3:40 p.m., the Board voted 6-0 in favor of the motion to enter into a closed meeting pursuant to §2.2-3711 (A)(28) of the Code of Virginia to deliberate in reaching a decision in the matter of Carlos A. Howard, F.S.L.

**RECONVENED:**

On a motion made by Mr. Burger and properly seconded by Mr. Leonard at 3:55 p.m., pursuant to §2.2-3712 (D) the Board voted 5-0 in favor of the motion, that only public business matters as were identified in the motion convening the closed meeting were heard, discussed and considered by the Board.

On a motion made by Mr. Burger and properly seconded by Ms. Hughes, the Board voted to dismiss the case.

**ADJOURNMENT:**

With all business concluded, the Board adjourned at 4:00 p.m.

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Randy Minter, Vice President, Chair

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Elizabeth Young, Executive Director

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Date

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Date